
(2018) 01 CAL CK 0055
In the Calcutta High Court
Case No : 29881 (W) of 2017

Yasmin Sultana

APPELLANT

Vs

The State of West Bengal & Ors.

RESPONDENT

Date of Decision : 09-01-2018

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 164](#), [Section 41A](#) - Recording of confessions and statements

[Indian Penal Code, 1860](#), [Section 34](#), [Section 17](#)

Citation : (2018) 01 CAL CK 0055

Hon'ble Judges : Debangsu Basak

Bench : Single Bench

Advocate : Arkaprava Sen, Asif Iqbal Ahmed, Subhabrata Datta

Judgement

1. Supplementary affidavit filed in Court be kept with the record.
2. Learned Advocate for the petitioner submits that, the private respondents are trying to build floors over the roof of a property belonging to the petitioner. The police have not taken any steps despite a complaint dated November 3, 2017 and subsequent complaint of December 13, 2017. He submits that, subsequent to the filing of the writ petition, the private respondents had beaten up the petitioner on December 13, 2017 and have threatened the petitioner to withdraw the writ petition. The private respondents are continuing with their threats.
3. Learned Advocate for the State on the basis of written instruction submits that, the complaint dated November 3, 2017 has been treated as a First Information Report (F.I.R.). A case being Karaya Police Station Case No. 471, dated November 9, 2017 under Sections 341/323/354/34 IPC was registered. The investigation therein is in progress. Notices under Section 41A of the Cr.P.C. were served upon the accused. Statements of the eyewitnesses were recorded and a statement of the petitioner was recorded under Section 164 of the Cr.P.C.

4. The state of affairs as narrated above is alarming. The petitioner claims to be threatened even after filing of the writ petition.
5. In such circumstances, the respondent no. 5 is directed to ensure that, peace and tranquility is maintained at the locale. The police authorities will expedite the investigation into the complaints lodged by the petitioner on November 3, 2017 and December 13, 2017 and submit a report with regard to the progress thereof.
6. List the Writ petition on January 31, 2018 for further consideration.
7. Urgent website certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.